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**APPEALS BOARD  
UTAH LABOR COMMISSION**

**AMY FELLER,**

**Petitioner,**

**vs.**

**HARK'N TECHNOLOGIES and  
WORKERS COMPENSATION FUND,**

**Respondents.**

**ORDER AFFIRMING  
ALJ'S DECISION**

**Case No. 07-0890**

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Amy Feller asks the Appeals Board of the Utah Labor Commission to review Administrative Law Judge La Jeunesse's denial of Ms. Feller's claim for benefits under the Utah Workers' Compensation Act, Title 34A, Chapter 2, Utah Code Annotated.

The Appeals Board exercises jurisdiction over this motion for review pursuant to Utah Code Annotated § 63G-4-301 and § 34A-2-801(3).

**BACKGROUND AND ISSUE PRESENTED**

Ms. Feller claims workers' compensation benefits or, alternatively, occupational disease benefits from Hark'n Technologies and its insurance carrier, Workers Compensation Fund, (referred to jointly as "Hark'n"). Specifically, Ms. Feller asserts that her work duties at Hark'n, including two specific incidents on March 22 and July 18, 2007, resulted in various injuries or illnesses affecting her arms and wrists. Judge La Jeunesse held an evidentiary hearing on Ms. Feller's claim and then referred the medical aspects of the claim to an impartial panel of medical experts. Upon receipt of the panel's report, Judge La Jeunesse accepted the panel's conclusions that Ms. Feller's work at Hark'n was not the medical cause of her alleged injuries.

In requesting Appeals Board review of Judge La Jeunesse's decision, Ms. Feller contends that certain medical evidence supporting her claim is more persuasive than the contrary opinion of the Commission's medical panel.

**FINDINGS OF FACT**

The Appeals Board adopts Judge La Jeunesse's findings of facts. In summary, Ms. Feller worked as a seamstress for Hark'n for several years. Between March 2007 and September 2007, she experienced arm and wrist pain after performing various sewing procedures. Ms. Feller stopped working for Hark'n on September 21, 2007, due to the arm and wrist pain. After stopping work, her pain tapered off so that she only suffered pain when using her arms and wrists in a repetitive fashion.

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Ms. Fellers' physicians diagnosed her with de Quervain's Tenosynovitis, wrist strain, cubital tunnel syndrome and ulnar neuropathy. However, Hark'n's medical consultant, Dr. Marble, was unable to find any injury causally related to her work at Hark'n. In light of this dispute, Judge La Jeunesse referred the medical aspects of Ms. Feller's claim to an impartial panel consisting of Dr. Goldman, a neurologist and psychiatrist, and Dr. Vanderhooft, an orthopedic hand surgeon. The panel personally examined Ms. Feller and reviewed her medical records, diagnostic studies, and a video tape of her work duties. The panel found no causal connection between Ms. Feller's work at Hark'n and her arm and wrist problems.

**DISCUSSION AND CONCLUSIONS OF LAW**

The only issue before the Appeals Board is whether there is a medical causal connection between Ms. Feller's arm and wrist problems and her work at Hark'n. The Appeals Board has carefully reviewed the medical record and agrees with Judge La Jeunesse that the medical panel's opinion is persuasive. The panel was not affiliated with either party. It had access to all Ms. Feller's medical records and diagnostic studies. The panel had the opportunity to consider all previous medical opinions, and to personally examine Ms. Feller. The panel's report is comprehensive, well-supported and well-reasoned. And, although Ms. Feller asserts that the medical opinions of her own physicians should be given greater weight because those opinions were developed closer to the time she was working, the Appeals Board remains of the opinion that the panel report is the most comprehensive and accurate assessment of Ms. Feller's medical problems. The Appeals Board therefore accepts the panel's opinion and finds no causal connection between Ms. Feller's work activities and her arm and wrist problems. On that basis, the Appeals Board concurs with Judge La Jeunesse's determination that Ms. Feller is not entitled to workers' compensation or occupational disease benefits.

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**ORDER**

The Appeals Board affirms Judge La Jeunesse's decision. It is so ordered.

Dated this 21<sup>st</sup> day of January, 2009.

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Colleen S. Colton, Chair

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Patricia S. Drawe

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Joseph E. Hatch

**NOTICE OF APPEAL RIGHTS**

Any party may ask the Appeals Board of the Utah Labor Commission to reconsider this Order. Any such request for reconsideration must be received by the Appeals Board within 20 days of the date of this order. Alternatively, any party may appeal this order to the Utah Court of Appeals by filing a petition for review with the court. Any such petition for review must be received by the court within 30 days of the date of this order.